

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Introduced**

## **House Bill 5048**

By Delegates Moore, Kimble, D. Cannon, Coop-  
Gonzalez, Chiarelli, Browning, Kyle, Mazzocchi,  
Drennan, Rohrbach, and Dittman

[Introduced February 02, 2026; referred to the  
Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §49-2-125a, relating to ensuring that foster children awaiting residential  
3 placement shall continue to receive education through virtual learning.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.**

### **§49-2-125a. Right to education for residential placement of foster children.**

1 (a) When a foster child is in the process of residential placement, the foster child shall  
2 continue to receive his or her education through virtual learning while the foster child is awaiting  
3 placement with a foster family.

4 (b) Virtual learning shall be done through the county where the foster student was last  
5 enrolled, and if this is not possible, then the virtual learning shall occur in the county where the  
6 foster child currently resides while awaiting residential placement: *Provided*, That if neither county  
7 has the capability for virtual learning, then the closest available county with virtual learning  
8 capability shall be the county used by the foster student.

9 (c) Virtual learning shall take place in accordance with the provisions of §18-5F-1 *et seq.* of  
10 this code.

11 (d) The individual, group, or organization responsible for the foster child while the child is  
12 awaiting residential placement shall receive information technology ("IT") training for purposes of  
13 ensuring the foster child shall receive virtual learning.

14 (e) The virtual instruction for the child awaiting residential placement shall occur no more  
15 than three days after the child is in the temporary care of the individual, group, or organization.

16 (f) Once the foster child is placed with a foster family, the virtual learning information and  
17 educational enrollment information received from the child shall be provided to both the foster  
18 family and to the new county where the student is enrolled.

NOTE: The purpose of this bill is to ensure that foster children awaiting residential

placement shall continue to receive education through virtual learning.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.